

A717  
Site: Herculaneum Road  
ID #: MOENR666373  
Break: 2.0  
Other: 10-4-02  
gem

THE  
**DOE RUN**  
COMPANY  
SMELTING DIVISION

RECEIVED  
OCT 18 2002  
SUPERFUND DIVISION

Aaron W. Miller  
Environmental Manager of Primary Smelting  
[amiller@doerun.com](mailto:amiller@doerun.com)

October 4, 2002

Mr. Jeff Smith  
555 Reservoir Street  
Herculaneum, MO 63048

Dear Mr. Smith,

On September 23, 2002, Environmental Restoration (ER) began soil replacement at your request and on September 26, 2002 we stopped remediation. Our records indicate that in April of this year you contacted Doe Run with a concern about some material in your yard, which may be slag. Clif Gray and I met with you at your house to discuss this material. At that time you told us that you believed that house was built on slag and that you were concerned you would not be able to sell the house after your son graduated from high school. We took some of the material to our lab for analysis and on May 6, 2002 I gave you a copy of the Certificate of Analysis. At that time I told you that the "hard rock" had the characteristics of old slag and the "light rock" was most likely clinker waste from a coal furnace. We did discuss and/or explain the schedule for yard replacements and how they were prioritized.

On July 7, 2002, you contact EPA contractor Ryan Schuler about the slag in your yard and told him you wanted the soil replaced. He in turn relayed the message to Gary Walker. Gary pulled out your file and informed Mr. Ryan Schuler that the lead levels in your yard were not at a level to have your yard replaced this year.

On July 18, 2002, you contacted Gary Walker and told him you wanted your soil replaced. Gary told you we would schedule this property for next year, that we set our schedule for soil replacements according to the Administrative Order on Consent (AOC). You also told Gary that you wanted to sell the house in a few years and felt you wouldn't be able to because of the slag.

On July 23, 2002, you called Gary Walker again because your brother was having soil replacement next door to you and we had informed you we would not do your yard until next year. Gary told you once again about the schedule for soil replacement and that any changes must be approved by management.



On August 16, 2002, you left a message wanting your yard cleaned up "or else".

On August 19, 2002, I met with Jim Silver, US EPA, and Mr. Ryan Schuler EPA Contractor at your house to discuss your concerns. Later that same day I called you and told you that Doe Run had decided to go ahead and replace the soil in your yard at the same time we were there replacing soil in your brother's yard.

During our conversation you stated that you believed that Clif and I were lying to you about the slag in your yard. I referred you back to the Certificate of Analysis provided to you on May 6, 2002.

On August 22, 2002, Gary Walker mailed you an access agreement.

On September 23, 2002, soil replacement began.

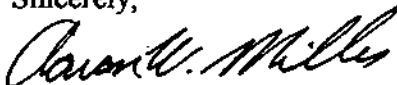
On September 26, 2002, Gary Walker, Jim Silver and Ryan Schuler met at your house to discuss the slag in your yard. Jim Silver agreed that the work conformed to the AOC requirements for soil replacement for soils greater than 1000 ppm after excavation. (if >1000 ppm a barrier is used between the old and new soils, if <1000 ppm no barrier is required). Sampling showed the two front quadrants less than 1000 ppm and the two back quadrants < 1000 ppm. The procedures call for a barrier to be used in the front two quadrants.

Later on September 26, 2002, you called Gary Walker and asked for a meeting with Clif Gray, and me at 2:00 PM, at your house. Neither Clif nor myself was available to meet that afternoon. I drove out to look at the yard and then called Jim Silver. After discussion with Jim Silver, I called you at work. I restated the procedures for soil replacement and the decision to move your yard ahead on the schedule.

You told me that there were only two ways to resolve this. 1) remove all the slag from your yard; or 2) buy your house. After our discussion I asked you if you wanted us to continue with your yard work. You told me, "no, do not finish unless I call you." I relayed that message to Gary Walker and we have left your yard open.

If you wish to have your soil replacement completed please call Gary Walker at 636/933-3112.

Sincerely,



Aaron W. Miller

Environmental Manager of Primary Smelting

cc: Bruce Morrison, US EPA  
Dave Mosby, MDNR  
Scott Clardy, MDHSS  
John Chamis, City of Herculaneum  
Clif Gray, DRC